**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

James W. Cannon, et al

DISPLAY DEVICE AND METHOD FOR DETERMINING AN AREA OF IMPORTANCE IN AN ORIGINAL IMAGE

Serial No. 10/810,283

Filed 26 March 2004

Group Art Unit: 2628
Confirmation No.: 8578

Examiner: Michelle K. Lay

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

## REPLY BRIEF

The Examiner's Answer dated April 9, 2008 discusses the issue regarding the rejection of the claims based on the term "non-directional signal" by essentially relying on the disclosure relative to the jog dial 300. However, this does not appear to address Applicant's definition of "non-directional signal" as it pertains to the claimed invention and described in Applicant's Appeal Brief and the present specification. More specifically, page 10 of the Appeal Brief states "Thus, while a user may move the user input in any of a wide variety of directions there is no directional correlation between the direction that the user moves when engaging any input and the signal that is generated. Whatever motion or movement is made regarding the user input, the signal that is generated does not carry directional information."

Accordingly, in the present invention it is the user input action itself, as opposed to the direction that a user may, for example, move a button, that provides the non-directional signal. This non-directional signal is therefore indicative of a user input action and does not include directional information.

The above is supported by the specification:

For example, Page 26, line 26 to page 27, line 5 states the following: "Controller 32 is adapted to detect whether a user input action is performed during presentation of the current portion evaluation image (step 200). Where a user input action is detected during presentation of the current portion evaluation image, controller 32 determines whether the user continues the input action for at least an advance time (step 202). For example, controller 32 can detect whether user interaction is sustained for an advance time period of, for example, three seconds. Where this condition is detected, controller 32 causes a different portion of the original image to be selected from the set of portions of the original image for use as the current portion (step 196). A portion evaluation image is then presented (step 198) and the process of detecting whether a user input action is performed during presentation of the new current portion evaluation image (step 200) is performed. "

Page 27, lines 25-28 states the following: "this embodiment does not require a user input action that is directional in that there is no inherent or apparent correlation between the direction of movement of the user input controls and the location of the designated portion".

Accordingly, in the present invention, the non directional signal is a signal that there has been a user input action and does not include information regarding direction.

Applicant believes that claims 1, 21 and 34 are allowable and in compliance with the requirements of 35 USC 112, First Paragraph; and that claims 1-13 and 21-43 are allowable and in compliance with the requirements of 35 USC 112 , 2nd paragraph.

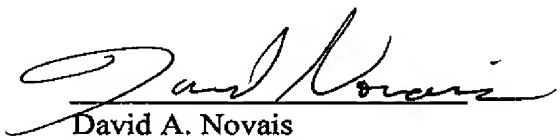
With regard to the rejection of the claims based on the combination of Moghadam and Anderson, first, Applicant reiterates that the applied references do not disclose the "non-directional signal" feature noted above.

Further, page 23 of the Examiner's Answer argues for the combination of Moghadam and Anderson by asserting that in Moghadam all modifications to the image are performed after the image is captured. The Examiner's Answer also refers to col. 3, lines 61-65 of Moghadam which describes a block diagram of the digital camera as well as the image receiver and the conversion to digital data. However, it is not clear how this addresses the lack of motivation issue with regard to combining the references to meet the claimed

features of, for example, determining an area of importance and showing a designated portion having a magnification. Applicant notes that Moghadam is directed to viewing an object prior to capture together with a tile pattern for specifying active hot spot areas in the viewed image, while Anderson is directed to a post capture system wherein a user uses a directional control to select different ones of an array of thumbnail images for magnification. Absent Applicant's disclosure, one having ordinary skill in the art would not have been motivated to combine Moghadam and Anderson to achieve the invention required by the claims.

Accordingly, the pending claims are believed to be allowable over the applied references and a reversal of the Final Rejection is requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.